The U-2 Affair in the House of Commons, P. 2

Dean Griswold of Harvard Law School Defends Dr. Uphaus and the Right to Privacy, See Page 3

I. F. Stone's Weekly

VOL. VIII, NO. 20 MAY 23, 1960 WASHINGTON, D. C. 15 CENTS

The Q and A of A World Crisis

What wrecked the summit?

Eisenhower's avowal of responsibility for aerial reconnaissance and his declared intention to continue it.

Did Khrushchov go to Paris intending to blow up the conference?

Yes. His terms, by including a public apology and punishment for those responsible, were impossibly humiliating and he knew it. Eisenhower was responsible.

Why did Khrushchov take so drastic a position?

I believe he was offended and angered, that he really liked Eisenhower and felt personally let down. He had given the President an out in his speech of May 7 in which he said that perhaps Eisenhower had known nothing about the U-2 flight and it had been the independent work of "madmen in the Pentagon." This accorded with Herter's statement that same day, "Specific missions of these unarmed civilian aircraft have not been subject to presidential authorization."

When the Summit Could Still Have Been Saved

Could the summit conference still have been saved?

At that point yes. On May 8 the President met with Herter to prevent the incident from wrecking the summit meeting and though no announcement was made James Reston reported in the *New York Times* next morning, "elsewhere it was stated on responsible authority that the President had ordered a halt to all flights over or near Communist frontiers pending an executive investigation of the entire intelligence apparatus of the government." Had the Administration allowed this report to stand uncontradicted, it would have satisfied our alarmed allies about the U-2 flights and provided a face-saver for Khrushchov with his own people.

Why did Herter next day indicate instead that the flights would go on?

This is the key point at which a future Congressional investigation, as foreshadowed by Mansfield in the Senate last Tuesday, ought to begin. Reston is a responsible and able newspaperman, bureau chief for our leading paper, with more access than any other publication to official channels. Who was the "responsible authority" who assured Reston the evening of May 8 after the Eisenhower-Herter meeting that overflights had been halted? Why was it decided instead to have Herter next day issue a statement which invited the belief that overflights would continue? It was the President's affirmance of Herter's statement on May 11 that was followed by Khrushchov's angry remark in Moscow that Eisenhower would no longer be welcome.

What led the Administration to take so tough a line?

Perhaps two factors played a part. One could have been a typical press relations gimmick: we turn a liability into an asset by taking our admission of aerial espionage, which leaves us in the wrong, and put Russia in the wrong instead by claiming that its secrecy made such surveillance necessary, a service to the world, a form of "open sky" operation designed to bring about an "open society." Thus we become the champions of "open-ness" a good word against "secrecy" a bad. This is the kind of slick Madison Avenue operation to which this Administration has always been prone. A second argument discernible in the line being leaked out by the Pentagon is: we do a switch, say that the ease of the U-2 operation shows how open the Russians are to attack, we still have more bombers than they do, they still don't have the advantage in missiles they'll have a few years hence, this is the "deterrent gap" when we can still smash them and they know it, let's get tough while we can. This, we suspect, is how the military argued.

How do you reconcile this speculation with Eisenhower's statement at Paris on May 16 that on May 12 he had ordered all overflights permanently ended?

Judging by the surprised reaction in Washington, that order of May 12 was so secret that it must have been a soliloquy. The Vice President's explanation at Auburn, N.Y., May 17 only adds to reasons for skepticism. Nixon said Eisenhower went to Paris prepared to give up aerial surveillance but only if East and West agreed to substitute a United Nations "open skies" program. (*New York Times,* May 18, p. 14, col. 6, City Edition). I believe this was another in the series of "little white lies" which have marked this U-2 affair from the beginning. The impression is strengthened by the curious evasiveness of "Chip" Bohlen's discussion of it at the Paris press briefing (see box above).

(*Continued on Page Two*)

Two Slippery Fellows On A Slippery Slope

Q. Mr. Bohlen, did we offer to make the statement public that the flights would not be resumed during this period of discussion when it still was not clear whether he [Khrushchov] was going to publish his own statement?

Mr. BOHLEN: I would say it is a fair inference that the statement [Eisenhower's on no more flights over the Soviet Union] could have been made public...

Q. Jim [Hagerty] can you tell us why it was, or give us the background, the fact that these flights were suspended and were not to be resumed—why that was not announced in view of the misunderstanding you mentioned?

Mr. HAGERTY: Well, I thought that it was, by some of our people in our government, in some conversations that they have been having, but that's the only answer I can give.

—Press Briefing in Paris, New York Times May 16

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(Continued from Page One)

That Sudden Combat Alert

What is the meaning of the "secret" world-wide combat alert ordered by Secretary of Defense Gates from Paris which took place during the night and early morning preceding the meeting of the Big Four?

This seems further evidence that Eisenhower had been sold a tough line by the military. Obviously a world-wide alert, especially at our bases abroad, could not be kept a secret from the Russians even if it hadn't been conveniently leaked at Denver and San Diego. This was a bit of muscle-flexing intended to throw a scare into the Russians. It was a most irresponsible and dangerous kind of maneuver. It might easily have led the Russians to believe that a major surprise attack on them was in the making, and led them to try a pre-emptive blow to ward it off. In my opinion a show of this kind, even more than the U-2 flight, forced Khrushchov to take a hard position lest he be suspected at home and abroad of weakness.

Do you believe that the U-2 affair alone was enough to make the Russians decide to scuttle the summit meeting?

No. I believe it was only the final straw. The Russians had ample reason to doubt our sincerity in talks on disarmament, nuclear testing and Berlin. Our attitude toward the summit was frivolous; the idea was that if the Russians had any more concessions to make, we would be glad to receive them. There was no real preparation for negotiation. On disarmament, as Gaitskell noted in the House of Commons May 13, the Western plan emphasized control and inspection, leaving actual disarmament to the distant future. Our announcement of resumed testing May 7 was an affront after the Russians a few days earlier at Geneva had made fresh concessions. Then there was Eisenhower's remark to George Meany May 6, about his projected Moscow trip, *"If I go."* It requires no esoteric theories about pressure from Stalinists and Peking to explain Khrushchov's anger. I think he decided that nothing was to be gained from the summit meeting with Eisenhower, that he would only be giving him

Investigation of NASA Asked

Leonard G. Wolf (D. Iowa) wrote Chairman Overton Brooks of the House Science and Aeronautics Committee May 13, expressing "concern over the recent revelations that NASA is being used as a cover-up for spying activities by the Central Intelligence Agency . . . We have been under the impression that the activities of NASA were to be of a purely peaceful and non-military nature . . . I strongly urge a full-scale investigation to ascertain (1) whether there are other activities which are hiding under the cloak of NASA, and (2) in what other instances NASA has given out information which is at variance with the facts . . ."

Another member of this same committee, which has jurisdiction over NASA, E. Q. Daddario (D. Conn.) issued a statement May 11 expressing disappointment over the use of NASA for such purposes.

"I must sympathize with those who express concern that it is difficult to tell a reconnaissance effort from one that might be carrying nuclear weapons," Rep. Daddario said, adding that "even if someone should position a satellite with a thermonuclear weapon like a sword of Damocles, over the world, it could well have the appearance of a peaceful satellite." He declared the U-2 incident emphasized the importance of an agreement on the peaceful use of outer space.

Labor Party Leadership Critical of U.S. on U-2 Policy in British Parliament

Mr. SWINGLER (Lab.): I am sure people are entitled to know whether it is accurate, as reported in today's press that the RAF was participating in these [reconnaissance] activities until 12 months ago when the Prime Minister is said to have countermanded the order and stopped them.

Mr. WARD (for the government): It has long been accepted practice by successive governments from both sides of the House that matters of this kind are not discussed in public. I see no reason to depart from that.
—House of Commons May 11 (The Times, London, May 12)

VISCOUNT STANSGATE: There is a vast difference between sending a man to try to collect information in a foreign country and sending an aircraft which might be armed over the other person's territory.
—House of Lords May 12 (The Times, London, May 13)

Mr. GAITSKELL [Leader of the Labor Party]: He saw no purpose in being hypocritical or mealy-mouthed about intelligence work and espionage . . . It was undeniable that the Soviet Union practiced espionage on a grand scale.

Having said that, however, he felt, as he believed many Americans felt that it was a singularly inept and stupid thing to allow flights of this kind to take place just before the summit talks . . .

He hoped he was wrong, but it seemed that . . . State Department spokesmen had suggested that the U.S. Government regarded itself as legally entitled to send its aircraft over Soviet air space, and that it intended to do so. That seemed an almost untenable position.

He would have thought that it was clearly a violation of international law, and he hoped the British Government . . . would urge second thoughts on the United States if . . . they proposed to continue with these practices.

This particular type of intelligence work was peculiar in that it involved risks not only for the pilot or photographer but for the whole world. Such forms of espionage did not merely discover, or fail to discover, enemy secrets, but the process of attempting so to do could conceivably trigger off a nuclear war . . .

For these reasons (he said) I have to record my view that this kind of thing should not be done without consultation with, and the approval of, the whole Atlantic Alliance. It is not right that one country should take such risks in the absence of the consent of its allies.

Mr. GRIMOND (Lab.): The point of this particular incident was not that it was espionage, but that a hostile or what might have been a hostile aircraft got 1,000 miles into Russia and might have set off the whole machinery which in turn might have caused a war.

Mr. HEALEY [Labor's chief foreign policy spokesman in the House]: It was quite impossible to justify the statement made by Mr. Herter . . . in which he claimed the U.S. determination systematically to violate international law for her own strategic convenience. This was a new and dangerous doctrine. (Opposition cheers.)

Mr. Herter was challenging the precarious framework of world order. Moreover, it seemed unlikely that the U.S. would be able to continue these operations except from bases provided by allies. If the U.S. persisted on the course to which Mr. Herter appeared to commit her then there were grave risks to the solidarity of her alliances, including NATO.

—House of Commons May 12 (The Times, May 13)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the mantle of peace with which to elect Nixon in November, and that it would be better to exploit the U-2 affair and call off the talks until after a new President had been elected.

Stevenson's Chances Now

Who's your candidate for President?

Adlai Stevenson.

Do you think the collapse of the summit has improved his chances?

Yes and no. Some people will feel that the country needs a really big man in the White House for a change now that we may be in a crisis. Others will feel that we need somebody who can talk tough to the Russians.

What about Kennedy?

His youth will hurt him now.

Do you think Kennedy's a man of peace?

He moved leftward to defeat Humphrey, and until the summit collapse he had to stay that way to cut the ground from under Stevenson. But if he's really that much of a liberal, why has he been such a favorite of Henry Luce?

Do you think the collapse of the summit will help or hurt the Republicans?

Hurt them. Not just because they've lost the peace issue but because they have no commanding figure left in whom the people have confidence. If they had a new glamorous soldier candidate, they might do well on a brink-of-war campaign. Nixon looks too young, shallow, tricky.

What does the summit collapse do for the Democrats?

Put them on a very difficult spot. To campaign as the peace party when the Russians are acting tough opens them to the charge of appeasement. The Democrats are split wide open between those who believe there is no alternative to peace and those who think we ought to have a super arms race and then "negotiate from strength," i.e. threaten Russian extinction if they don't surrender on U.S. terms. The convention will be a bitter one.

Do you think the Republicans might turn to Rockefeller?

Possibly. Because the collapse of the summit is a defeat for the conservatives of the party. Rockefeller favors a radical increase in arms spending, and a radical reorganization of the armed services, at one and the same time for thermonuclear preventive war power and mobile limited nuclear war to defend American interests (especially oil interests) in the hot spots of the world. He's willing to rally popular support by combining a garrison state with a social welfare state. He's made to order for the George Meany mentality in labor.

Can a peace candidate be elected?

Only if the Russians do not create a new crisis over Berlin. The signing of a separate treaty before the election, especially

(*Continued on Page Four*)

On Frisco's Rioting Students

"Riots are always ugly; and the riot that took place last Friday in San Francisco's City Hall against the House Committee on Un-American Activities was no exception. The blame for it ought not to be placed solely on the students who were involved. There is nothing to indicate that they planned any disorder. They assembled for an entirely proper purpose: to protest against the Committee's bringing its portable pillory into Northern California . . . The police, it seems clear, acted with unnecessary severity.

Regrettable as the violence was, there is one heartening aspect to the student demonstration. It affords one more sign that students are beginning to rouse themselves from the irresponsible and frightened apathy of the postwar period—an apathy induced in no small part by the relentless effort of the Un-American Activities Committee to silence dissent and extirpate every form of unorthodoxy. This demonstration, however tragically it got out of hand, was not without kinship to the student demonstrations which have taken place recently in Southern cities—and even, perhaps, to those in Turkey and Korea.

"Students ought to protest against a Committee of Congress which has long since ceased to serve any purpose but punishment by publicity. It is heartening, despite the excesses, to see American students behaving once more like American students—and not like robots or zombies."

—"Coming to Life," Wash. Post editorial, May 17.

Dean Griswold Protests Uphaus Case in Upholding "Right to be Let Alone"

"Congressmen and Senators are not magistrates with roving commissions to go about the length and breadth of the land hailing people before them to respond to what they will. Congressmen and Senators are legislators with very important functions to perform in that capacity. They are entitled to make inquiries and examine facts in support of their work as legislators. They can get all the information they need about any topic without asking any person about his own past thoughts, beliefs or associations.

"Recognizing the privilege in these cases is frustrating to those who want to conduct broad-scale public inquiries. But is that important when measured against the rights of personality which are recognized in 'the right to be let alone'? Consider the problem of the witness. Most of those summoned involuntarily to appear before Congressional committees should not have been there at all. In this situation, the sure haven of the citizen against the unbridled power of the government was to claim the protection of the Fifth Amendment—'taking the Fifth,' it was called by those who did not fully appreciate what was involved.

"There was the witness before the committee, often a rather little man. He was usually frightened, and understandably so. If he answered the questions he could be in trouble. He might be prosecuted on the basis of his answers; or he might be prosecuted for perjury if his answers were felt to be untrue. If he refused to answer on general principles, or as a matter of conscience, he was also in trouble. He could be prosecuted, and often has been, for contempt of the investigating committee. The sad case of Dr. Uphaus is a currently painful example, which will, I think, long leave a scar on the good name of the fair State of New Hampshire . . .

"Commentators have said that many claimed the privilege when they had no real right to do so—the witnesses knew that the testimony withheld would not have been incriminating in the strict legal sense. There is no doubt that this is so. But is it surprising? Is it even desirable? If the question should not have been asked, is it not good that there was a way to thwart the questioner? Is there not something rather American when the individual citizen holds the government at bay on a matter of conscience and belief?"

—Dean Erwin N. Griswold of Harvard Law School speaking on "The Right to Be Let Alone" at the Northwestern University Law School Centennial in Chicago May 13.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Eisenhower and Khrushchov Have Destroyed Each Other Politically

(*Continued from Page Three*)

if followed by trouble between the East Germans and our military, will play into the hands of the war party here. The Russians cannot force the U.S. into a humiliating backdown at Berlin and expect peaceful negotiations no matter who is elected.

Is it possible to put Russo-American elections into a sort of deep-freeze until after the elections?

Possible but not probable. Given the realities of mankind and its easy descent into mutual recrimination and suspicion, no such happy solution is likely. It is more likely that the collapse of the summit is the opening of a new and dangerous era in world history, and one which could easily be the last.

Can the Nuclear Test Talks Survive?

Can the nuclear testing and disarmament negotiations go on after the summit has collapsed?

Theoretically, yes. Practically, no. Insofar as foreign policy is concerned, all countries have a two-party system—the "hards" and the "softs." We are moving into a period in which the "hards" will probably be dominant in both the U.S. and the U.S.S.R. The Soviet leaders in their new mood are less likely than ever to allow foreign monitors and on-site inspections on their soil.

What do you see as the most important lesson for the American people in the last few days?

The extent to which our fate is at the mercy of a huge military and intelligence machine which can create incidents and manipulate events; the extent to which, through the press, they can brain-wash the country. They easily sold papers as enlightened as the *New York Times* and the *Washington Post* the fantastic line that aerial overflights in violation of international law in a trigger-tense thermonuclear age are a form of public service. If they can sell this line, can one be sure they can't sell the idea of preventive war?

Do you see a stepup in the arms race?

Yes, and we are only a few years away from the stage of technology in which we may see garrison states rise on both sides, digging deep into the earth to give their citizens shelter and reaching high into the skies with space stations from which to aim missiles at each other. The black day of May 17, 1960, may bring nearer the vision of Orwell's 1984. Coming developments can be a bonanza for the secret police business and the paranoids on both sides. Stalinism and McCarthyism may have their recrudescence together. World rivalry and many basic similarities have made Siamese Twins of the U.S. and the U.S.S.R. If poison runs in the veins of one, it flows into the veins of the other.

Can Khrushchov survive a sharp turn of events?

Just as it was a political asset during the period of thaw for ambitious leaders to demonstrate by visits and talks that they could get along with their opposite numbers, so in the coming months it may become an asset on both sides to demonstrate that one can "talk tough" with the other. Eisenhower's tragedy stems from his weaknesses of character, his essential laziness of mind. Khrushchov in anger has destroyed Eisenhower; Ike ends a failure. But Khrushchov may go down with him if there is a turn for the worse. It will not be easy for Nikita "Kukuruchik," the expansive extrovert, contemptuous of stuffed shirts and bureaucratic hacks, to become a Stalinist style wooden Indian. We suspect neither man will long survive the collapse of their mutual hope. They have ruined each other. *Noon, May 18.*

Hat's Off to Senator Morse

In our issue of May 2, we called attention to editorials in the New York Times and the Washington Post on the pointless cruelty of the deportation order against a Portland, Oregon, house painter, Willia Niukkanen. Though born in Finland, he came to this country as an infant. Now at 52 he is to be deported for membership in the Communist Party from 1937 to 1939. The Supreme Court 5-to-4 upheld his deportation under the 1950 Internal Security Act. We suggested that a bill be introduced in Congress cancelling the Niukkenan deportation. We are happy to report that Senator Morse in an act of characteristic humanity introduced such a bill (S.3543) on May 13.

If You Send A Stamped Self-Addressed Long Envelope, We'll Send A Free Copy of This Week's to A Friend

I. F. Stone's Weekly, 5618 Nebraska Ave., N. W. Washington 15, D. C.

Please renew (or enter) my sub for the enclosed $5:*

Name .....

Street .....

City .....**Zone**.....**State**.....

5/23/60

Enter gift sub for $2 (6 mos.) or $4 (1 yr.) additional:

(To) Name .....

Street .....

City .....**Zone**.....**State**.....

Shall we send gift announcement? Yes ☐ No ☐

I. F. Stone's Weekly
5618 Nebraska Ave., N. W.
Washington 15, D. C.

NEWSPAPER

Entered as Second Class Mail Matter Washington, D. C. Post Office

I. F. Stone's Weekly. Entered as Second Class Matter at Washington, D. C., under the Act of March 3, 1879. Post-dated Mondays but published every Thursday except the last two Thursdays of August and December at 5618 Nebraska Ave., N. W., Washington 15, D. C. An independent weekly published and edited by I. F. Stone; Circulation Manager, Esther M. Stone. Subscription: $5 in the U. S.; $6 in Canada; $10 elsewhere. Air Mail rates: $15 to Europe; $20 to Israel, Asia and Africa.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED